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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,583	10/26/2001	Brett A. Green	10013478-1	8143

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

PAULA, CESAR B

ART UNIT	PAPER NUMBER
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2178

MAIL DATE	DELIVERY MODE
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10/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/005,583

Applicant(s)

GREEN, BRETT A.

Examiner

CESAR B. PAULA

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 17-20 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 17-20, and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendment filed on 8/7/2007.

This action is made Non-Final.

2. In the amendment, claims 9-16, and 21-23 have been canceled. Claims 1-8, 17-20, and 24 remain pending. Claims 1, and 17 are independent claims.
3. The rejections of claims 1-3, 6, 9, 11, 13, 15, 21-23 rejected under 35 U.S.C. 102(e) as being anticipated by Kuwata et al. (U.S. Pub. No. 20030072031; publication date April 17, 2003; filed March 25, 2002; provisional application filed March 23, 2001), have been withdrawn as necessitated by the amendment.
4. The rejections of claims 4, 5, 7, 8, 12 and 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwata in view of Dance et al. (U.S. Pub. No. 20020076111; publication date June 20, 2002; filed December 18, 2000) , have been withdrawn as necessitated by the amendment.
5. The rejections of claims 10 and 14 rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwata in view of Somashekar et al. (U.S. Pub. No. 20020116477; publication date August 22, 2002; filed December 7, 2000), have been withdrawn as necessitated by the amendment.

6. The rejections of claims 17-20 and 24 rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwata in view of Dance in further view of Somashekar, have been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-3, 6, 18, and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Olbricht (U.S. Pat. No. 6429952; 8/6/2002, filed 8/31/1998).

Regarding independent claim 1, Olbricht discloses a web browser for scanning a document image from a stand-alone scanner over a network. A user clicks on a scan button on the browser. The scanner scans the image and returns it as a file to the browser (col.2, lines 64-col.3, lines 1-5, 30-41, fig.1)-- *an independent scanner that is separate from a computer receiving a scan request to initiate scanning of a document from a user network browser, the request having been sent directly to the independent scanner over a network the independent scanner receiving*

Art Unit: 2178

selections made with the user network browser; and the independent scanner scanning the document in accordance with the user selections.

Moreover, Olbricht discloses the scanner has an http server incorporated therein for generating the file returned to the browser (col.2, lines 51-63, col.3, lines 31-41 fig.1)-- *responsive to the scan request, an embedded server stored within memory contained within the independent scanner uploading content to the user network browser over via network.*

Regarding dependent claim 2, which depends on claim 1, Olbricht discloses adjusting the scanning parameters to scan the document image in accordance with the parameters (col.3, lines 6-25, fig.2-3)-- *wherein uploading content to the user network browser comprises the independent scanner uploading to the user network browser with the embedded server of the independent scanner logic configured to generate at least one control screen for display within the user network browser.*

Regarding dependent claim 3, Olbricht discloses the scanner has an http server incorporated therein for generating the file returned to the browser where it is viewed by the user (col.2, lines 51-63, col.3, lines 31-41 fig.1)-- *wherein uploading content to the user network browser comprises the independent scanner uploading to the user network browser with the embedded server of the independent scanner at least one application that is configured to perform a designated task on a computing device on which the user network browser runs.*

Art Unit: 2178

Regarding dependent claim 6, which depends on claim 1, Olbricht discloses the scanner has an http server incorporated therein for generating the file returned to the browser (col.2, lines 51-63, col.3, lines 31-41 fig.1)—*the independent scanner uploading to the user network browser with the embedded server of the independent scanner scanned data to the user network browser for viewing.*

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 4, 5, 7, 8, 12 and 16 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Olbricht in view of Os et al. (U.S. Pat. No. 6480304; 11/12/2002; filed 12/9/1998).

Regarding independent claim 17, Olbricht discloses a web browser for scanning a document image from a stand-alone scanner over a network. A user clicks on a scan button on the browser. The scanner uses firmware to scan the image and returns it as a file to the browser (col.2, lines 64-col.3, lines 1-5, 30-41, col.4, lines 22-30, fig.1)-- *An independent scanner scanning device separate from a computer and configured for walk-up use, the independent scanner comprising: a processing device provided within the independent scanner; scanning*

Art Unit: 2178

hardware provided within the independent scanner; and memory provided within the independent scanner, and logic for generating at least one control screen that can be uploaded to a user network browser, the memory comprising storing a scan control module comprising a scanning module.

In addition, Olbricht discloses adjusting the scanning parameters to scan the document image in accordance with the parameters (col.3, lines 6-25, fig.2-3)—*the memory of the independent scanner further storing an embedded server that is configured to serve the at least one control screen to the user network browser via a network.*

Moreover, Olbricht discloses the scanner has an http server incorporated therein for generating the file returned to the browser (col.2, lines 51-63, col.3, lines 31-41 fig.1)--*responsive to the scan request, an embedded server stored within memory contained within the independent scanner uploading content to the user network browser over via network.*

Olbricht does not teach the independent scanner with *an optical character recognition module.*

Os discloses automatically performing optical character recognition on a scanned document when received from a scanner (col.7, line 43-col.8, line 20, col.3, lines 56-67, fig.4). It would have been obvious to one of ordinary skill in the art, having the teachings of Olbricht and Os before him at the time the invention was made, to modify the method taught by Olbricht to include performing optical character recognition on a scanned document as taught by Os, because of all the reasons taught by Olbricht, such as transforming the image document into a format usable by the browser (col.2, lines 57-63). Os including automatically configure the operation of the scanner in a manner that requires significantly less user intervention(col.3, lines 27-34).

Regarding dependent claim 4, Olbricht does not teach *at least one application is configured to perform optical character recognition on the scanned document*. Os discloses automatically performing optical character recognition on a scanned document when received from a scanner (col.7, line 43-col.8, line 20, col.3, lines 56-67, fig.4). It would have been obvious to one of ordinary skill in the art, having the teachings of Olbricht and Os before him at the time the invention was made, to modify the method taught by Olbricht to include performing optical character recognition on a scanned document as taught by Os, because of all the reasons taught by Os including automatically configure the operation of the scanner in a manner that requires significantly less user intervention(col.3, lines 27-34).

Regarding dependent claim 5, Olbricht does not teach *at least one application is configured to locate an optical character recognition module of a computing device on which the browser runs*. Os discloses automatically performing optical character recognition on a scanned document when received from a scanner (col.7, line 43-col.8, line 20, col.3, lines 56-67, fig.4). It would have been obvious to one of ordinary skill in the art, having the teachings of Olbricht and Os before him at the time the invention was made, to modify the method taught by Olbricht to include performing optical character recognition on a scanned document as taught by Os, because of all the reasons taught by Os including automatically configure the operation of the scanner in a manner that requires significantly less user intervention(col.3, lines 27-34).

Art Unit: 2178

Regarding dependent claim 7, the claim reflects the method and system for performing the operations of claim 4 and is rejected along the same rationale.

Regarding dependent claim 8, Olbricht does not teach *uploading an optically character recognized document to the user browser for viewing*. Os discloses automatically performing optical character recognition on a scanned document when received from a scanner, and delivering it to an application program (col.7, line 43-col.8, line 20, col.3, lines 56-67, fig.4). It would have been obvious to one of ordinary skill in the art, having the teachings of Olbricht and Os before him at the time the invention was made, to modify the method taught by Olbricht to include performing optical character recognition on a scanned document as taught by Os, because of all the reasons taught by Os including automatically configure the operation of the scanner in a manner that requires significantly less user intervention (col.3, lines 27-34).

Regarding dependent claim 18, the claim reflects the device for performing the operations of claim 3 and is rejected along the same rationale.

Regarding dependent claims 19 and 20, the claims reflect the device for performing the operations of claims 4 and 5 respectively and are rejected along the same rationale.

Regarding dependent claim 24, which depends on claim 17, Olbricht discloses adjusting the scanning parameters to scan the document image in accordance with the parameters (col.3, lines 6-25, fig.2-3)-- *wherein the independent scanner is configured as a multifunction*

Art Unit: 2178

peripheral (MFP) device that is capable of scanning as well as other functionalities.

Response to Arguments

Applicant's arguments filed October 3, 2005 have been fully considered but they are moot in light of the new rejections as necessitated by the prior art and the new amendments.

Conclusion

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Danknick et al. (Pat. # 5,901,286 A), Iida (Pat. # 7,139,093 B2), and Twede et al. (Pat. # 7,076,518 B1).

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

Art Unit: 2178

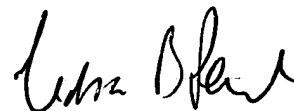
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Any response to this Action should be mailed to:
Commissioner for Patents
P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

- (571)-273-8300 (for all Formal communications intended for entry)


CESAR PAULA
PRIMARY EXAMINER
10/9/2007